

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TRUSTEES OF THE NEVADA RESORT)
ASSOCIATION - INTERNATIONAL ALLIANCE)
OF THEATRICAL STATE EMPLOYEES AND)
MOVING PICTURE MACHINE OPERATORS)
OF THE UNITED STATES AND CANADA,)
LOCAL 720, PENSION TRUST, et al.,)
Plaintiffs,)
vs.)
HARRAH'S LAS VEGAS, et al.,)
Defendants.)

ORDER

Before the court is the parties' Stipulated Protective Order (Dkt. #32) which the court approved to facilitate discovery in this case. This order reminds counsel that there is a presumption of public access to judicial files and records. A party seeking to file a confidential document under seal must file a motion to seal and must comply with the Ninth Circuit's directives in *Kamakana v. City and County of Honolulu*, 447 F.3d 1172 (9th Cir 2006).

The court has approved the parties' blanket protective order to facilitate their discovery exchanges. However, the parties have not shown, and court has not found, that any specific documents are secret or confidential. The parties have not provided specific facts supported by affidavits or concrete examples to establish that a protective order is required to protect any specific trade secret or other confidential information pursuant to Rule 26(c) or that disclosure would cause an identifiable and significant harm. The parties have generically described the documents and/or portions of documents that may contain private, sensitive information and personal identifiers which are generally protected from public disclosure. The Ninth Circuit has held that there is a presumption of public access to judicial files and records and that parties seeking to maintain the confidentiality of documents attached

1 to non-dispositive motions must show good cause exists to overcome the presumption of public access.
2 See *Kamakana* 447 F.3d at 1179. Parties seeking to maintain the secrecy of documents attached to
3 dispositive motions must show compelling reasons sufficient to overcome the presumption of public
4 access. *Id.* at 1180.

5 **IT IS ORDERED** that the parties shall comply with the requirements of LR 10-5(b), and the
6 Ninth Circuit's decision in *Kamakana*, 447 F.3d 1172, with respect to any documents filed under seal.

7 Dated this 10th day of December, 2013.

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10 PEGGY A. SEEN
11 UNITED STATES MAGISTRATE JUDGE
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